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In re Application of:	:	
TOYODA, Haruhisa, et al.	:	DECISION
U.S. Application No.: 10/595,314	:	
PCT No.: PCT/JP2004/014477	:	
International Filing Date: 01 October 2004	:	
Priority Date: 15 October 2003	:	
Attorney Docket No.: 20239/0203926	:	
For: PROCESS FOR PROCUDING SOFT	:	
MAGNETISM MATERIAL, SOFT	:	
MAGNETISM MATERIAL, AND	:	
POWDER MAGNETIC CORE	:	

This decision is issued in response to the "Amendment – Request under Rule 48 Correcting Inventorship" filed by applicants on 27 October 2006. No petition fee is required.

BACKGROUND

On 01 October 2004, applicants filed international application PCT/JP2004/014477. The application claimed a priority date of 15 October 2003, and it designated the United States. On 28 April 2005, the International Bureau (IB) communicated a copy of the international application to the United States Patent and Trademark Office (USPTO). The deadline for submission of the basic national fee was thirty months from the priority date, i.e., 15 April 2006. The published international application identified five applicant/inventors for purposes of the U.S.: Haruhisa TOYODA, Hirokazu KUGAI, Kazuhiro HIROSE, Naoto IGARASHI, and Takao NISHIOKA.

On 07 April 2006, applicants filed electronically via EFS-Web a Transmittal Letter for entry into the national stage in the United States accompanied by, among other materials, payment of the basic national fee, a translation of the international application into English, an executed declaration, and an Application Data Sheet (ADS). The five inventors listed on the declaration and the ADS correspond to those listed on the international application, as does the name of the first inventor set forth on the Form PTO-1390 Transmittal Letter. However, the first named inventor was identified as Hiroko LAVIETES in the data field provided as part of the EFS-Web filing process.

On 27 October 2006, applicants filed the "Amendment – Request under Rule 48 Correcting Inventorship" considered herein. This submission seeks to correct the application so

as to remove the indication of Hiroko LAVIETES as an inventor and thereby have the inventors of record for this application correspond to those listed on the ADS and the declaration.

DISCUSSION

As noted above, the declaration and ADS filed by applicants on 07 April 2006 correctly identified the inventors of record herein. When processing the application papers, the USPTO identifies the named inventors from the filed declaration and ADS, not the bibliographic information provided as part of the electronic filing. Accordingly, the error in the inventor's name contained in the bibliographic data entered by applicants when filing the electronic application will be corrected by the USPTO during its ordinary processing of the application. A petition or amendment to make such correction is therefore unnecessary; the present request to correct inventorship is moot.

CONCLUSION

Applicants' request to correct inventorship herein is **DISMISSED** as moot.

The indication of Hiroko LAVIETES as an inventor herein, contained in the bibliographic material entered as part of the electronic application filing, will be removed from the application during processing.

The inventors listed on the ADS and declaration filed 07 April 2006 will be entered as the named inventors in the present national stage filing. As noted above, these inventors correspond to the inventors of record set forth in the published international application.

This application is being referred to the National Stage Processing Branch of the Office Of PCT Operations for further processing in accordance with this decision.



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